United Nations S/2004/1001

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 19 April 2004 (S/2004/22), transmitting a fourth report from Bulgaria submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Bulgaria to the United Nations to set out its preliminary comments. Bulgaria has been requested to provide a response in the form of a fifth report by 15 February 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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United Nations S/2004/1002

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 26 March 2004 (S/2004/255), transmitting a fourth report from Belarus submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of Resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Belarus to the United Nations to set out its preliminary comments. Belarus has been requested to provide a response in the form of a fifth report by 10 March 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-66674 (E) 050105

United Nations S/2004/1003

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 27 February 2004 (S/2004/22), transmitting a fourth report from the Czech Republic submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of the Czech Republic to the United Nations to set out its preliminary comments. The Czech Republic has been requested to provide a response in the form of a fifth report by 24 January 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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United Nations S/2004/1004

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 26 April 2004 (S/2004/344), transmitting a fourth report from El Salvador submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of El Salvador to the United Nations to set out its preliminary comments. El Salvador has been requested to provide a response in the form of a fifth report by 15 February 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-66730 (E) 070105

United Nations S/2004/1005

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 19 December 2003 (S/2003/1204), transmitting a fourth report from Australia submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Australia to the United Nations to set out its preliminary comments. Australia has been requested to provide a response in the form of a fifth report by 15 February 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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United Nations S/2004/1006

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 7 January 2004 (S/2004/22), transmitting a fourth report from Estonia submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Estonia to the United Nations to set out its preliminary comments. Estonia has been requested to provide a response in the form of a fifth report by 24 January 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-66718 (E) 070105

United Nations S/2004/1007

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 30 July 2003 (S/2003/790), transmitting a supplementary report from Oman submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Oman to the United Nations to set out its preliminary comments. Oman has been requested to provide a response in the form of a third report by 24 January 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-66668 (E) 050105

United Nations S/2004/1008

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 17 February 2004 (S/2004/131 and Corr.1), transmitting a supplementary report from Botswana submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Botswana to the United Nations to set out its preliminary comments. Botswana has been requested to provide a response in the form of a third report by 24 January 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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United Nations S/2004/1009

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 6 May 2004 (S/2004/360), transmitting a third report from Andorra submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Andorra to the United Nations to set out its preliminary comments. Andorra has been requested to provide a response in the form of a fourth report by 15 February 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-66687 (E) 050105

United Nations S/2004/1010

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 27 August 2003 (S/2003/840), transmitting a third report from Sri Lanka submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Sri Lanka to the United Nations to set out its preliminary comments. Sri Lanka has been requested to provide a response in the form of a fourth report by 1 March 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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United Nations S/2004/1011

Security Council

Distr.: General
22 December 2004

Original: English

Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my predecessor's letter of 12 February 2004 (S/2004/119), transmitting a fourth report from Denmark submitted to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001).

The Counter-Terrorism Committee has considered the report carefully, with the assistance of its experts, and has written to the Permanent Representative of Denmark to the United Nations to set out its preliminary comments. Denmark has been requested to provide a response in the form of a fifth report by 15 February 2005.

I should be grateful if you could arrange for the present letter to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

04-66754 (E) 070105

United Nations S/2004/1012

Security Council

Distr.: General
23 December 2004
English
Original: French

Report of the Secretary-General on the situation in the Central African Republic and the activities of the United Nations Peace-building Support Office in the Central African Republic

I. Introduction

1. This report covers the period from 8 July to 31 December 2004. It takes stock of the situation in the Central African Republic during this period, especially in the political, military and security, economic and social, and humanitarian fields, as well as in the area of human rights. It also reports on the activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA).

II. Political situation

2. The political situation essentially remains marked by the continuation of the electoral process that will lead to the holding of the forthcoming general elections, which are designed to restore the constitutional order, in the first quarter of 2005. The Committee of Foreign Partners to Follow Up on the Electoral Process, whose members include China, France, Germany, the European Union, BONUCA, the other agencies of the United Nations system, the Executive Secretariat of the Central African Economic and Monetary Union (CEMAC) and the Commander of the CEMAC Multinational Force, continues to support the electoral process.

3. At the second session of the National Transition Council, which closed on 15 July 2004, National Councillors considered and amended the draft constitution and the draft electoral code, which they then transmitted to the transitional government for adoption. Their amendments concerned, inter alia, the type of regime to be adopted, the powers of the Prime Minister, the length of the presidential term of office, the amount of the deposit payable by candidates for the legislative and presidential elections, the conditions for eligibility, and the conditions for establishing the criminal liability of the Head of State.

4. Following a second reading of the texts by the Government, the Head of State initialled and distributed the draft constitution and signed and enacted the ordinance on the Electoral Code. Some of the amendments proposed by the National Transition Council were not considered.

04-64954 (E) 281204 281204

5. Subsequently, the National Transition Council adopted, during its third session, held from 16 August to 1 October 2004, the draft ordinance on political parties and the status of the opposition. The National Councillors also carried out a comparative reading of the draft constitution and the draft electoral code as published by the Government, without consulting the latter. In doing so, they noticed discrepancies with respect to the amendments made in accordance with the recommendations of the national dialogue. Those discrepancies were resolved through mutual concessions agreed to by the parties and facilitated by the good offices of my Representative in Bangui, among others.

6. An ordinance amending and supplementing the ordinance on the Electoral Code was adopted by the Government, which also modified the draft constitution, in accordance with the terms of the agreement, and enacted it by decree. The draft was approved by the people of the Central African Republic in a referendum held on 5 December 2004.

7. At its fourth session, held from 8 to 26 November 2004, the National Transition Council adopted the draft ordinance on the establishment, organization and functioning of the transitional constitutional court, the draft ordinance on the establishment of a commission to oversee the freedom of the press (Haut Conseil de la communication), and the draft ordinance on the freedom of the press in the Central African Republic. The texts were submitted to the Government for adoption and enactment.

8. On 23 August 2004, the Mixed and Independent Electoral Commission set up, in partnership with BONUCA and the National Transition Council, a committee of experts responsible, on the one hand, for defining and developing an appropriate interpretation of the Electoral Code and, on the other hand, for identifying and devising any derogation measures required for applying it to the upcoming election dates. The Commission set the electoral budget at 5.5 billion CFA francs. The Central African Republic contributed 1 billion CFA francs; the European Union, 1.8 billion; France, 540 million; the United States of America, 130 million; the United Nations Development Programme (UNDP), 323 million; and BONUCA, 35 million. Germany, Italy and the International Organization of la Francophonie indicated their intention to contribute to the electoral budget, which is currently in deficit in the amount of 1.361 billion CFA francs.

9. The Electoral Commission has scheduled the joint legislative and presidential elections to be held at the beginning of 2005. The final results will be announced by the transitional constitutional court. Ahead of the future legislative and presidential elections, and before the constitutional referendum was held, an electoral census was carried out, from 16 to 24 October 2004. A total of 4,020 voting stations have been set up, within the country and abroad, for 1,400,882 registered voters.

III. Security and military situation

10. In the area of security, the overall situation remains precarious. Acts of violence and summary executions attributable to the law enforcement forces, as well as acts of robbery and armed robbery, have continued to occur, especially in the capital. "Roadblockers" or *Zaraguinas* have continued to engage in the "highway robbery" of civilians, despite the deployment, in the areas concerned, of defence and security detachments backed by CEMAC Multinational Force. However, because

they are few in number and because their equipment is either inadequate or old, they have not been able to combat this scourge effectively. The recent deadly attacks in Bozoum and Birao, carried out by unidentified armed groups, demonstrate the precarious nature of the security situation in many rural areas.

11. It should be recalled that, since the events of 15 March 2003, the river border between the Central African Republic and the Democratic Republic of the Congo has remained closed for security reasons. There have been reports of the unjustified boarding and inspection of vessels flying the flag of the Central African Republic while they were navigating on the river.

12. Within the framework of restructuring the Central African Armed Forces, the military team of BONUCA held two seminars for the defence and security forces, on the topics "the need for good cooperation between the military and civilians on national defence" and "the issue of army neutrality in African countries". This training was provided to 200 soldiers and gendarmes.

13. With regard to the disarmament, demobilization and reintegration of former combatants, the military team helped to implement the project for the reintegration of former combatants and support to communities designed by UNDP and funded by the World Bank's Multinational Demobilization and Reintegration Programme. The Programme's aim is to disarm and reintegrate 7,500 former combatants. On 14 September 2004, the Central African authorities established the National Commission for Disarmament, Demobilization and Reintegration, which is the agency responsible for strategic and political decision-making on disarmament, demobilization and reintegration, as well as the project's steering body.

14. In coordination with the military team, the Office's Civilian Police Section has continued to monitor the security situation, oversee the efforts of the Central African authorities to implement the national programme for the restructuring of the security forces, and monitor all aspects of Government policy regarding recruitment to the police and the gendarmerie, particularly in regard to guaranteeing ethnic balance and gender representation.

15. The Civilian Police Section has continued its training programmes within the framework of the capacity-building of the national police and gendarmerie. It has organized training courses for 200 police officers and gendarmes on investigation techniques, duty and professional ethics, criminal inquiries, command structures, general information and narcotics.

IV. Economic, social and humanitarian situation

16. The economic and social situation continues to be affected by the poor economic performances of 2002 and 2003, despite the commitments and adjustments made by the Government in agreement with the Bretton Woods institutions, namely, the gradual restoration of security throughout the country, a reduction in State spending, and actions to combat bad governance and impunity. In the economic sphere, activity over the first nine months of the year has shown that the situation remains precarious. As a result, it has not been possible to achieve the growth rate of 2.4 per cent forecast for 2004, thereby leading to a general decline in personal income and State revenue. However, the rate of inflation has remained satisfactory thanks to the regular supply of commodities from the various regions of

the country. In addition to the consequences of the 2003 crisis, from which it has not fully recovered, the agricultural sector has continued to be affected by the fall in world coffee and cotton prices, in the absence of a mechanism for stabilizing the prices of these two profitable products.

17. In the formal sector, the recovery remains tentative, due in particular to the prevailing climate of pessimism and the income instability affecting economic agents, especially the civil service. Moreover, many private-sector companies are experiencing enormous difficulty in restarting their activities because of the partial or total destruction of their physical capital during the events of 15 March 2003. In this sector, only mining and forestry companies have seen their production increase.

18. This depressed economic activity has led to weak growth in earnings, which are estimated to be 41 billion CFA francs for the period to the end of September 2004, which is only 65 per cent of the level forecast. Public expenditure has fallen considerably as a result of the authorities' commitments to cut State spending. I encourage the authorities to redouble their efforts to increase tax revenue and gain greater control over public expenditure in order that, over the next few months, the results expected from the achievement of the goals of the post-conflict programme of the International Monetary Fund (IMF) and the Low Income Countries Under Stress (LICUS) Initiative of the World Bank, concluded with the Government, will lead to talks with the Bretton Woods institutions on setting up a poverty reduction facility, and to discussions with the donor community of the Central African Republic, aimed at finding a lasting solution to the problem of Central African debt.

19. In the social sphere, civil servants and State officials have reported that they will be owed salary arrears for five months by the end of the current year. Over a period of 20 months in charge, the transitional government has paid them 15 months' salary — nine of which in 2004 — thanks to the financial support of China, France, IMF, the Bank of Central African States, CEMAC and the European Union. In an effort to ensure that there will be no salary arrears by the end of the transition period, civil servants went on a three-day warning strike from 16 to 19 November 2004 and called a general strike from 23 to 30 November 2004, which drew mixed support.

20. In the humanitarian sphere, the situation remains precarious, marked by the people's lack of access to basic health care, drinking water, education and food self-sufficiency, and by violence and extortion linked to residual crime. The number of humanitarian organizations, which is already low, is constantly falling, with the exception of agencies of the United Nations system. As a result, the capacity to take action is becoming more limited, even as people's level of vulnerability grows. It remains difficult for humanitarian organizations to reach vulnerable population groups, and in some areas it is even impossible. This difficulty is due to the poor state of road infrastructures and to the insecurity that prevails in the interior of the country.

21. There are currently around 200,000 displaced persons in the Central African Republic and almost 30,000 Central African refugees in Goré (Chad) following the events of 15 March 2003. In turn, the Central African Republic is providing refuge to almost 46,000 people of Sudanese, Chadian, Congolese (from the Democratic Republic of the Congo), Rwandan and Burundian origin. From 25 to 27 August 2004, a joint mission of the Central African Republic and the Office of the United Nations High Commissioner for Refugees (UNHCR) travelled to Kinshasa to sign a

tripartite agreement prior to the repatriation of refugees from the Democratic Republic of the Congo living in the Central African Republic. The repatriation operation began in October 2004 and is ongoing.

22. In order to cope with the overall humanitarian situation, the organizations of the United Nations system have drawn up a consolidated appeal for the year 2005, covering 23 projects, for a total sum of $19,196,404. Donor contributions are urgently requested so that the consolidated appeal can be implemented effectively.

23. In order to confront the disastrous agricultural situation, the Food and Agriculture Organization of the United Nations (FAO) has provided assistance for small farmers by distributing corn, groundnut, paddy rice, bean, yam and market garden seeds, particularly in areas severely affected by the recent political and military events. This assistance was doubled by the distribution of small agricultural tools, fishing equipment, day-old chicks and pigs, with the aim of helping small farmers, livestock breeders and fishermen to resume their production activities — however limited — in order to help to reduce poverty, which is chronic in the Central African Republic. While FAO assistance is very welcome, it is also very limited and helps only a very small segment of the population. I therefore encourage the States, institutions and bodies concerned to provide substantial support to this sector of the Central African economy, in order to prevent an unprecedented humanitarian crisis from taking root in the long term.

24. The Central African Republic is also going through a severe health-care crisis, as demonstrated by an exorbitant cost-recovery policy and poor attendance at health-care facilities owing to the fact that — in a country where 67 per cent of the population live on less than one dollar a day — the cost of health care is prohibitive for the most vulnerable communities. In addition, there is a predominance of nutritional deficiency, with 30 per cent of children in rural areas, 28 per cent in urban areas and 22 per cent in the capital suffering from chronic malnutrition, which is exacerbated by a worrying increase in the risk of an epidemic. The United Nations World Food Programme (WFP) has given assistance to people living in the northern and central prefectures of Ouham, Ouham-Pendé, Nana-Gribizi and Kémo. It has also helped set up and run school canteens in around 400 schools in these areas.

25. The World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and the United Nations Population Fund (UNFPA) have assisted the Ministries of Public Health and Population, the Family and Social Affairs, and National Reconciliation in preparing an operational plan to speed up the reduction of maternal and neonatal mortality. Another project set up jointly by the three agencies aims to improve the way in which obstetric and neonatal emergencies are dealt with in health-care facilities in and around Bangui, as well as in Bangui's three satellite maternity hospitals.

26. The education sector is also in crisis, despite the effective resumption of classes during the academic year 2004-2005. Around 400,000 out of 600,000 pupils have no access to basic education, a third of teachers have no training and school facilities continue to suffer from repeated looting. The literacy rate is 37 per cent, while the net school enrolment ratio is 49 per cent.

V. Human rights situation

27. During the period under review, BONUCA has registered several cases of infringement of the freedom of movement and freedom of the press, inhumane, humiliating and degrading treatment, violations of the right to life, summary executions, harassment, night-time searches, abusive arrests and threats of all kinds, which are usually attributable to the defence forces. However, whenever the perpetrators of such actions are identified, they are punished by the military hierarchy or brought to justice. The attention of both the judicial and the political authorities was drawn to the need to put a stop to such acts, which do not conform to the rules of legal procedure.

28. The human rights section of the Office has continued its radio programme aimed at disseminating information on the fundamental principles of human rights through local radio stations, including Radio Ndékéluka, of which BONUCA is a partner. In support of the Supreme Court of Appeal, the section has launched a project to set up a legal documentation centre and provide its operational equipment.

29. With regard to capacity-building in national organizations, from 19 to 31 July 2004, the human rights section organized a training session for law enforcement officers in Sibut, in which 65 gendarmerie and police officers participated, as well as representatives of government agencies and non-governmental organizations (NGOs).

30. In partnership with Central African women's NGOs, on 24 and 25 August, the section organized, in Bangui, two Central African discussion days on the "gender concept" in the Central African Republic, followed by a workshop on gender on 1 and 2 October 2004, with a view to setting up a solidarity fund for female candidates in the upcoming elections and adopting a "platform for joint action by Central African women's NGOs".

31. The section also organized, from 31 August to 7 September 2004, an awareness-raising campaign aimed at people living in the prefecture of Ouham on the subject of "human rights and peace", in partnership with youth organizations. Problems relating to the rights of the child and the right to education were identified during the campaign.

32. The human rights section's branch in Bouar also is continuing its activities of awareness-raising and training for people living in the three prefectures under its jurisdiction. The Bossangoa branch, which is in the process of being established, was officially inaugurated in early November. Its activities cover the prefectures of Ouham and Nana-Gribizi.

33. The BONUCA information unit has continued its activities promoting support for the Office's work, in particular through the dissemination of information on the ideals of the United Nations and media coverage of the activities of all sections, in order to raise the profile of the Office's activities. It has also continued to provide assistance to the press by supporting organizations representing people working in the press and improving the ability of journalists to play a role in the electoral process and the democratization of the country. The unit has also continued its programme aimed at promoting a spirit of citizenship through radio and television broadcasts, panel discussions and awareness-raising campaigns in ooth Bangui and provincial towns, on the central theme of "Central Africans want peace".

34. In preparation for the elections, three training sessions on "the press and the elections" were organized by the United Nations Educational, Scientific and Cultural Organization (UNESCO), in partnership with the French Embassy and BONUCA, in June, August and November 2004 respectively. In liaison with the Mixed and Independent Electoral Commission and UNDP, the information unit has drawn up a communication plan for the elections and presided over the establishment, within the Commission, of a communication group.

35. The activities envisaged in this plan included the launch, from 6 to 12 August 2004, of a touring campaign to raise awareness of the electoral census and of the vote itself in the four provincial towns of Damara, Sibut, Dékoa and Kaga Bandoro, and the organization, in partnership with the Committee to oversee the implementation of the outcome of the national dialogue and the Mixed and Independent Electoral Commission, of a seminar on "the electoral process and consolidating peace in the Central African Republic", from 5 to 7 October 2004, in Bangui.

36. In addition, from 6 to 11 November 2004, with technical and financial assistance from the Office, the Commission's communication group conducted a campaign in the north-west of the country to raise awareness about, and provide information on, the Constitution and the referendum thereon. The central theme of the campaign was "Your vote counts". Lastly, the information unit supported the preparation by the Episcopal Commission for Justice and Peace and in partnership with the Commission of a "Voter's guide", a veritable code of conduct for voters.

VI. The subregional context

37. Following the expression of concern by the President of the Security Council in his statement of 28 October 2004 (S/PRST/2004/39) at the possible consequences of the crises in the subregion for the Central African Republic, my Representative in Bangui participated in the First Summit of Heads of State and Government from the Great Lakes Region, held in Dar es Salaam on 19 and 20 November 2004, and in the Security Council meeting held in Kinshasa on 23 November 2004. The meeting in Kinshasa gave him the opportunity, inter alia, to assess the potential impact of the deteriorating situation in the Democratic Republic of the Congo on stability and security in the Central African Republic, particularly in terms of population displacement. On Monday, 29 November 2004, he also met, in Brazzaville, with the Head of State of the Republic of the Congo, President Denis Sassou Nguesso, in his capacity as the current Chairman of the Economic Community of Central African States, with whom he discussed the general situation in the Central African Republic, in particular the political, security and military situations, and the elections.

VII. Observations

38. The general situation in the Central African Republic is gradually improving in spite of well known shortcomings in the areas of governance and human rights. In the economic field, the adoption in August 2004 of a post-conflict programme by IMF and a programme under the Low Income Countries Under Stress (LICUS) Initiative by the World Bank is an encouraging signal for the Central African

authorities to continue their efforts. The implementation of these programmes, which depends on a considerable increase in the level of tax revenue, should make it possible to undertake new discussions for a complete resumption of cooperation between the Central African Republic and the Bretton Woods institutions.

39. In the political field, the situation is developing under acceptable conditions; this is evident in the successful holding of the constitutional referendum on 5 December 2004. With regard to the forthcoming election dates, everything seems to indicate that the country will be faced with several candidacies in the presidential election, including that of General François Bozizé, which he announced on 11 December 2004. In this context, political alliances are likely to form as the electoral process proceeds.

40. The compromise achieved with regard to the draft constitution and the draft electoral code significantly contributed to the improvement in relations between the Government and the National Transition Council, giving rise to renewed hope, as demonstrated by the smooth holding of the constitutional referendum of 5 December 2004. Nevertheless, in order to ensure the successful outcome of the transition and the electoral process, everything must be done in order to preserve the consensus underlying the transition, at least until the official launching of the election campaign in January 2005.

41. There is no doubt, as the Security Council stressed in its presidential statement of 28 October 2004 (S/PRST/2004/39), that the support of donors and the international financial institutions is essential for the Central African Republic's economic and social recovery. In this regard, I strongly encourage the donor community and the friends of the Central African Republic to step up their efforts to provide the country with the necessary material, financial and technical resources in order to ensure a lasting consolidation of its institutions. I call upon the Central African parties in return to work in order to bring about a tranquil political environment by reaffirming their commitment to the result that will sanction the elections at the beginning of 2005.

42. Lastly, I should like to pay express tribute during this pre-electoral period to the United Nations personnel in the Central African Republic and, in particular, to my Representative, General Lamine Cissé, for the dedication and perseverance that they have demonstrated in carrying out their activities and their duties.

United Nations S/2004/1013

Security Council

Distr.: General
23 December 2004

Original: English

Letter dated 23 December 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the President of the Security Council

I have the honour to refer to document S/2004/958 regarding the status of national reports pursuant to Security Council resolution 1540 (2004), and the reference to Egypt contained therein among the list of "non-submitting" States as of 7 December 2004.

I attach a copy of a note verbale dated 28 October 2004 which forwarded the report of the Arab Republic of Egypt submitted pursuant to paragraph 4 of Security Council resolution 1540 (2004) (see annex). Hence, I would appreciate that a corrigendum to document S/2004/958 be issued indicating the correct status of Egypt's submission pursuant to paragraph 4 of Security Council resolution 1540 (2004).

I also request that the present letter and its annex be issued as a document of the Security Council.

(*Signed*) Amr **Aboul Atta**
Chargé d'affaires a.i.

04-66429 (E) 271204

Annex to the letter dated 23 December 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the President of the Security Council

Note verbale dated 28 October 2004 from the Permanent Mission of Egypt to the United Nations addressed to the Secretary-General

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the United Nations Secretariat and has the honour to attach the report of the Arab Republic of Egypt pursuant to paragraph 4 of Security Council resolution 1540 (2004).*

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* The present note verbale, along with its attachment, will be issued separately as a document (S/AC.44/2004/(02)/88).

United Nations S/2004/1014

Security Council

Distr.: General
23 December 2004

Original: English

Note by the President of the Security Council

1. Following consultations among the members of the Security Council, it has been agreed that the mandate of the Security Council Informal Working Group on General Issues of Sanctions established pursuant to paragraph 3 of the note by the President of the Security Council dated 17 April 2000 (S/2000/319) shall be extended until 31 December 2005. The task of the Working Group is to develop general recommendations on how to improve the effectiveness of United Nations sanctions. Within this framework, the Working Group will now also address issues, such as those listed below, including, as appropriate, and with the consensus of its members, through open, and informal dialogue with interested Member States, as well as international, regional, intergovernmental and other relevant organizations:

- Improving cooperation between sanctions committees, monitoring bodies and regional organizations, as well as assessing the possibility of reporting by regional organizations as an alternative to the reporting by individual States
- Duration and lifting of sanctions
- Assessment of the unintended impact of sanctions and ways to assist affected untargeted States
- Improving national implementation of sanctions
- Enforcement of targeted sanctions, especially such sanctions as assets freezes or travel bans targeting individuals or entities
- De-listing procedures in relation to the implementation of targeted sanctions and the legal consequences of listing and de-listing
- Secondary sanctions against States violating sanctions
- Improving archives and databases in the Secretariat, including the Roster of Experts

2. The Working Group should benefit from all available sanctions expertise, including by being briefed, on a case-by-case basis, by appropriate experts.

3. The Security Council requests the Secretariat to provide the Working Group with interpretation in the six working languages of the United Nations.

04-66460 (E) 271204

United Nations S/2004/1015

Security Council

Distr.: General
23 December 2004
English
Original: French

Letter dated 21 December 2004 from the Secretary-General addressed to the President of the Security Council

I write in reference to the letter dated 14 December 2004 from the Minister for Foreign Affairs and Immigration of Papua New Guinea, the Rt. Hon. Sir Rabbie Namaliu, addressed to me regarding the peace process in Bougainville and the mandate of the United Nations Observer Mission in Bougainville (UNOMB). A copy of the letter is attached (see annex).*

I commend the Government of Papua New Guinea and the Bougainville parties for overcoming their differences and adopting the Bougainville Constitution, thereby opening the way for elections for an autonomous Bougainville government. Preparations for the holding of elections have already begun, the details of which are contained in the Foreign Minister's letter. A schedule for elections has also been drawn up by the Papua New Guinea Electoral Commission in consultation with the Bougainville Administration. It is thus evident that the Government of Papua New Guinea and the Bougainvillian parties remain firmly committed to implementing the Peace Agreement without further delay.

With regard to the Weapons Disposal Plan, one of the main components of the Agreement, the Government of Papua New Guinea and the Bougainville provincial administration, with the facilitation of UNOMB, continue their efforts to encourage the former combatants to destroy the 6 per cent of the contained weapons that remain. It is expected that this will lead to the removal of this final hurdle to launching the electoral process.

As the Council members are aware, UNOMB holds the chairmanship of the Peace Process Consultative Committee (PPCC) and monitors and reports to the Consultative Committee on the security situation, a role that is especially crucial in the period leading up to the elections. The renewed activities of Francis Ona across Bougainville make it imperative that UNOMB continue to facilitate a dialogue between his supporters and the Bougainville leaders until the voting is completed. With the establishment of an autonomous Bougainville government (ABG), the functions of the PPCC will be assumed by the autonomous Bougainville government, and UNOMB's responsibilities will have been fully implemented. The autonomous Bougainville government will also deal directly with the "no-go-zone" issue.

* The annex is circulated in the language of submission only.

04-66442 (E) 281204 281204

The transparent and thorough electoral preparations undertaken by the Government of Papua New Guinea are positive developments and deserve our support. Every effort should be made to sustain the progress achieved thus far to enable the parties to reach a successful conclusion of the peace process in June next year.

In the light of the above, I would be grateful for the Council's support in responding positively to the Papua New Guinea Government's request for UNOMB's continued presence in Bougainville and recommend that the mandate of the Observer Mission be extended for a period of six months, until 30 June 2005, so that it can complete its tasks which the Council has endorsed.

(*Signed*) Kofi A. **Annan**

Annex

Letter dated 14 December 2004 from the Minister for Foreign Affairs and Immigration of Papua New Guinea addressed to the Secretary-General

[Original: English]

MINISTER OF FOREIGN AFFAIRS AND IMMIGRATION

P. O. Box 422, Waigani, NCD, Papua New Guinea, Telephone: (675) 3014206, Facsimile: (675) 3014103

14 December 2004

H. E. Kofi Annan
Secretary-General, United Nations
United Nations Secretariat
New York, N. Y. 10017
United States of America

Your Excellency,

United Nations Observer Mission in Bougainville, Papua New Guinea (UNOMB)

I have the honour to express Papua New Guinea's sincere appreciation, on behalf of all of the parties involved, for the support the United Nations provides for the peace process in Bougainville, Papua New Guinea.

Mindful of United Nations member-states' concern that the process proceed with all deliberate speed to the point at which UNOMB will complete its agreed mandate and withdraw, I respectfully draw Your Excellency's attention to the progress recorded below.

With so much achieved and UNOMB's natural exit-date, the election of the Autonomous Bougainville Government, so close at hand, Papua New Guinea respectfully requests Your Excellency to bear these considerations in mind in addressing the request that Papua New Guinea now makes for UNOMB to be extended in order to fulfil its responsibilities.

Progress and challenges

Let me begin my account of progress achieved and challenges still to be met by advising Your Excellency that, earlier today, one of the most significant milestones in the transition to Bougainville autonomy was passed, when the National Executive Council (NEC) approved the text of the Constitution for the Autonomous Bougainville Government sent to us from Bougainville, and agreed to advise the Head of State to formally endorse it.

GOP/BYC/VG/AI/
VM/EA/TI

As the *Papua New Guinea Constitution* requires the Head of State to act 'in accordance' with NEC's advice, this means that the Bougainville Constitution is now in its final form, and ready to come into operation.

Implementation of the Bougainville Constitution is a formality - with publication of the *National Gazette*, which will make it operational, expected within days.

The detailed provisions for holding elections contained in the Bougainville Constitution mean that the way forward towards the elections is clear. As these provisions draw on similar, longstanding provisions in other Papua New Guinea electoral laws, they are also, in many respects, familiar. This is expected to facilitate implementation.

I am, therefore, pleased to advise that one of the terms of reference for UNOMB contained in Your Excellency's letter of 19 December to the President of the United Nations Security Council, (c) Preparation of the proposed constitution for the autonomous Bougainville Government, has been complete 1.

As a result, the schedule for (d), UNOMB's role in relation to the timing of elections is now clear (the detailed timetable prepared by the Papua New Guinea Electoral Commission in consultation with the Bougainville Administration and electoral officials in Bougainville for making the preparations required and holding the elections is attached).

Together, these two developments are both very significant milestones and signposts for the final stages of an orderly, timely exit-strategy for UNOMB to fulfil its agreed mandate and withdraw.

UNOMB's terms of reference

Turning now to the details of the terms of reference for UNOMB advised in Your Excellency's letter of 19 December 2003 to the President of the United Nations Security Council, I am now pleased to advise as follows:

(a) **Peace Process Consultative Committee (PPCC), and**

(b) **Disposal and Destruction of weapons**

Implementation of the agreed weapons disposal plan continues to move ahead.

With 94% of the 1,861 guns contained when UNOMB verified and certified at stage 2 in July 2003 – and other guns brought in and destroyed since then – the total number of guns now destroyed, 1,879, is actually slightly greater than the number contained at stage 2. The destruction of guns has been completed in seven of the 10 Districts in Bougainville and Buka Islands. The Government and Bougainville leaders are working closely together to resolve issues and promote reconciliation in the area where the most

substantial concentration of guns remains (50 which have been contained at Laguai in the Buin District, South Bougainville).

As Your Excellency will recall, UNOMB's verification and certification of stage 2 of the agreed weapons disposal plan was based on consultations with communities around Bougainville. UNOMB's report focused on the sense of security there; it acknowledged there were communities remaining outside the peace process (in the 'No-Go Zone' around Panguna), and guns still at large. This approach, accepted by all of the parties, allowed the peace process to keep moving ahead (and specifically for the Constitutional Laws providing the framework for making the Bougainville Constitution and the establishment of the Autonomous Bougainville Government to come into operation).

A critical safeguard for all of the parties is the provision in the agreed weapons disposal plan contained in the *Bougainville Peace Agreement*, and given the force of law by the *Papua New Guinea Constitution*, that UNOMB is available to respond to a request by 'any of the parties ... to verify and certify whether there has been substantial compliance by the parties in the handing in of weapons and whether the level of security of the weapons makes it conducive to holding the elections.' As UNOMB's report is to be 'presented to and considered by, the PPCC', it is vital that both continue to be available until the elections are held.

Until the elections, when the Autonomous Bougainville Government will become the legitimate representative of the Bougainville parties, the PPCC will continue to be the sole agreed forum in which all of the parties can meet to consult and co-operate on peace process-related issues. This is important both in relation to determining any differences over whether elections should be held or deferred, and as far as contacts between the National Government and the Bougainville Revolutionary Army (BRA) for these and other purposes are concerned.

It is, therefore, vital that UNOMB remain to chair and fulfil its agreed responsibilities in relation to the PPCC until the elections are held, when neither will be required.

(c) **Preparation of the proposed constitution for the autonomous Bougainville Government**

Now completed.

The provisions in the Bougainville Constitution containing the legal specifications and procedures for holding elections will become operational immediately the few remaining formalities outlined above have been completed, and the *National Gazette* announcing the Governor-General's endorsement of the Bougainville Constitution is printed and issued.

The achievement of this important milestone follows a process in which the Government (on a bipartisan, National basis) and Bougainville leaders worked closely together to come up with joint recommendations for amending the draft Bougainville Constitution so

that the Bougainville Constituent Assembly could finalise and adopt it, confident that they had addressed concerns regarding the need for consistency with the *Papua New Guinea Constitution*. The amendments were approved and the Bougainville Constitution was adopted on 12 November. The text was finalized and submitted to the National Government on 6 December.

For its part, the National Executive Council then 'fast-tracked' final approval by receiving, considering and advising the Head of State to endorse the Bougainville Constitution (as adopted) together - only a week after the final text was submitted, and in less time than the provisions in the National *Constitution* implementing the *Bougainville Peace Agreement* allow for this stage of the process.

Formal endorsement of the Bougainville Constitution as consistent with the *Papua New Guinea Constitution* (as amended to give legal effect to the *Bougainville Peace Agreement*) will open the way towards elections and the establishment of the Autonomous Bougainville Government. However, concerns previously expressed by the National Government still remain in regard to the cost and complexity of the proposed arrangements, their implications for capacity, political stability and good governance, social integration, and other issues.

(d) UNOMB's role in relation to the timing of elections

Now that the Bougainville Constitution is ready, the legal and administrative framework for making the preparations required and holding elections is clear. The Chief Electoral Commissioner has advised that the funds required to prepare for and hold the elections are available (with Australia's and New Zealand's generous support).

The Bougainville Constitution states that voting in the first Bougainville election will begin within six months of the date on which relevant provisions come into operation (which is the day immediately following publication of the relevant *National Gazette*). Consistent with practicality and the need to provide for unexpected contingencies, the same provisions states the Bougainville leaders responsible for the over-all conduct of the elections, following advice from the Election Manager, can defer voting for up to two months (with an absolute limit of six months).

The *Bougainville Peace Agreement* contains a commitment that '[a]greed plans for weapons disposal will be fully implemented before elections for the autonomous Bougainville Government are held' (Paragraph 324). However, approval of the Bougainville Constitution provides the firm guidance the parties need in order to honour their shared commitment to keep the peace process moving ahead and progress preparations for holding elections. As the relevant provisions in the Bougainville Constitution draw on existing laws and procedures, the steps leading up to the elections and the elections themselves follow a familiar routine.

The Papua New Guinea Electoral Commissioner, the Registrar of Political Parties and other senior officials will travel to Bougainville on 16 December for a workshop to discuss the details with officials on the ground.

Inevitably, the physical damage and destruction, together with the other disruptions, which are part of the post-conflict situation mean that certain physical facilities have to be repaired or reconstructed, equipment must be obtained, and, most importantly, personnel must be trained to implement the new procedures contained in the Bougainville Constitution in order to ensure the elections are free and fair.

A small number of critical appointments required to implement the Bougainville Constitution have to be made (the First Bougainville Bougainville General Election Boundaries Director and Election Manager, and the Bougainville Political Party Monitor). Now that the legal requirements are known if not formally in effect, the National Government has publicly encouraged Bougainville leaders to make these appointments at the earliest practicable opportunity.

A public awareness campaign is needed to explain to explain relevant provisions regarding the right to vote and stand for public office in the Bougainville Constitution, together with procedures and the schedule for enrolling, nominating, voting and declaration of the results.

The Chief Electoral Commissioner of Papua New Guinea, who is an independent Constitutional Officeholder under the National *Constitution*, has worked closely with the Bougainville Provincial Administration and electoral officials on the ground in drawing up the schedule attached.

The next step is that boundaries of the electorates for the Bougainville legislature have to be drawn and accepted.

Electoral officials must be equipped and deployed to revise and update the electoral rolls to ensure consistency with the Bougainville Constitution.

The prompt and efficient fulfillment of these requirements is facilitated by a provision included in the Bougainville Constitution as a result of the joint recommendations previously cited requiring the Bougainville leadership 'at all times, where practicable, [to] utilize existing facilities and personnel of the Bougainville Administration and the appropriate National Government bodies'.

Consistent with the national priority the National Government gives to the Bougainville peace process, it is committed to responding positively to requests for support.

The attached schedule is challenging. Implementation will require careful planning and preparation. Unexpected challenges, such as inclement weather, or developments in or affecting the 'No-Go Zone' might arise. However, the parties and the officials

responsible for implementation are determined to do all they possibly can to implement the schedule and meet the deadlines outlined above.

(e) Other offices

UNOMB continues to make a valuable contribution to promoting public awareness, mutual confidence and security on the ground.

Steps already taken to strengthen security by restoring law and order include:

- the delegation of Police powers to Bougainville, and the introduction of new Bougainville Police uniforms, together with the recruitment of 100 additional Bougainvillean Police (50 of whom are now completing training), the presence of Australian Federal Police working under the Bougainville Police Commander, and the training and retraining of 400 Community Auxiliary Police;

- the planned resumption of National Court sittings in Bougainville in December; and

- plans to restore correctional services in Bougainville.

However, the situation in and around the 'No-Go Zone' remains uncertain following the recent unauthorized landing of foreign aircraft at Aropa and the mysterious arrival of foreigners with unknown purposes; personal difficulties and tensions between Me'ekamui leaders (which have resulted in the unfortunate suicide of a daughter of Francis Ona); and the failure of pyramid 'fast-money' schemes to honour their promises (leading some of their principal promoters to flee the 'No-Go Zone', and, unfortunately, try to resume their activities elsewhere).

In this regard, UNOMB's presence is critical to progress on other fronts, including building and maintaining the mutual confidence required for the forthcoming elections.

Conclusion

Papua New Guinea appreciates and shares other United Nations members' concerns regarding the need for UNOMB and other peace missions to have a clear exit-strategy, not only for budgetary reasons, but, most importantly, so they focus on the goal of ensuring that peace becomes self-sustaining. This shared understanding lies at the heart of the parties' common commitment to secure lasting peace in Bougainville by peaceful means.

If I may say so, Your Excellency's Report to the United Nations Security Council on UNOMB of 29 September (S/2004/771) provided valuable insights into the issues and challenges involved in making timely and orderly progress towards the earliest practicable achievement of our agreed goal and UNOMB's withdrawal. The *Aide*

Memoire attached to the Report makes clear what UNOMB's responsibilities are and why it is needed, including its role in the *Papua New Guinea Constitution.*

I would also respectfully observe that UNOMB is among the most successful, small and economical United Nations peace missions. Much of its success has depended on the firm foundations the *Bougainville Peace Agreement* has among leaders, former combatants, women's and other non-governmental organisations, and communities on the ground. What might be described as its 'bottom-up' character is a strength. It also means that implementation of the *Agreement* is not within the National Government's control, and can be accordingly difficult to plan. This can be seen in the way in which, despite the best advice and intentions, the National Government now finds it necessary to request a further extension for UNOMB – for the sake of maintaining the progress already made, and in order to achieve the final milestone, the election of the Autonomous Bougainville Government.

In making this request, Papua New Guinea respectfully draws attention to the way in which member-states' key concerns regarding the transition to Bougainville autonomy and implementation of the *Bougainville Peace Agreement* have been met - by pointing to finalisation of the Bougainville Constitution, and preparation of a detailed schedule for holding elections. Together, these two important milestones provide a firm and credible basis for the request that UNOMB be extended to complete its agreed assignment at the establishment of the Autonomous Bougainville Government.

The continuing presence and support of UNOMB is critical both to fulfilling the agreed terms of reference approved by the United Nations Security Council, and to honouring the faith the parties involved in the Bougainville peace process placed in the United Nations when we agreed to make UNOMB's role, as authorized by the United Nations Security Council, part of the *Papua New Guinea Constitution.*

It is against this background, and Papua New Guinea's determination to maintain our unbroken record as a constitutional democracy, that Papua New Guinea requests the United Nations to agree that UNOMB continue to play its agreed part in the transition now under way in Bougainville, Papua New Guinea.

Papua New Guinea believes that the shared goal of achieving sustainable peace by honouring the letter and spirit of the *Bougainville Peace Agreement* can be achieved with full regard for the quite proper concerns that members of the United Nations Security Council, other member-states and officials have for economy and a clear and firm exit-strategy. In this regard, it is important that UNOMB continues to draw on personnel with qualifications and experience appropriate to UNOMB's terms of reference. Papua New Guinea believes this can be arranged and managed with proper regard for economy and transition to the kind of United Nations presence appropriate to the activities of other United Nations Departments and specialized agencies in circumstances of sustainable peace, normalcy and ongoing development.

It is in the light of the considerations outlined in this letter that Papua New Guinea respectfully makes this report and request.

In conclusion, let me assure Your Excellency and the United Nations Security Council of Papua New Guinea's highest consideration.

Yours sincerely,

Rt Hon. Rabbie L. Namaliu, KCMG MP
Minister

United Nations S/2004/1016

Security Council

Distr.: General
23 December 2004

Original: English

Letter dated 23 December 2004 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 21 December 2004 (S/2004/1015) concerning your recommendation to extend the mandate of the United Nations Observer Mission in Bougainville (UNOMB) for a period of six months, until 30 June 2005, has been brought to the attention of the members of the Security Council. They take note of the recommendation and information contained in your letter. The Security Council also requests that the Secretary-General present a report to the Council within three months on an assessment of the ground situation and on a mission-closure plan.

(*Signed*) Abdallah **Baali**
President of the Security Council

04-66417 (E) 271204

United Nations S/2004/1017

Security Council

Distr.: General
30 December 2004

Original: English

Letter dated 29 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

I have the honour to transmit herewith the annual report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia (see annex), containing an account of the Committee's activities for 2004. The report, which was adopted by the Committee on 28 December 2004, is being submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234).

(*Signed*) Lauro L. **Baja**, Jr.
Chairman
Security Council Committee established pursuant
to resolution 751 (1992) concerning Somalia

04-67062 (E) 050105

Annex

Annual report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia covers the period from 1 January to 31 December 2004.

2. The report of the Committee covering its activities from 1 January to 31 December 2003 (S/2003/1216, annex) was submitted to the Security Council on 31 December 2003.

3. For 2004, the bureau consisted of Lauro L. Baja, Jr. (Philippines) as Chairman, with the delegations of Algeria and Germany as Vice-Chairmen (see S/2004/4).

4. The Committee held three formal meetings and nine informal meetings in 2004.

II. Background

5. On 25 February 2004, the President of the Security Council issued a statement (S/PRST/2004/3) on behalf of the Council, reiterating the Council's concern over the continued flow of weapons and ammunition supplies to Somalia and calling on relevant States and entities to comply scrupulously with the arms embargo and to cooperate with the Monitoring Group.

6. In paragraph 3 of resolution 1558 (2004) of 17 August 2004 concerning Somalia, the Security Council requested the Secretary-General to re-establish, within 30 days from the date of the adoption of that resolution, and for a period of six months, the Monitoring Group referred to in paragraph 2 of resolution 1519 (2003) with a mandate focused on the ongoing arms embargo violations, including transfers of ammunition, single-use weapons and small arms. The re-established Monitoring Group was also mandated, inter alia, to continue refining and updating information on the draft list of those who continue to violate the arms embargo inside and outside Somalia, and their active supporters, for possible future measures by the Council. In paragraph 6 of resolution 1558 (2004), the Council expressed its expectation that the Committee would recommend to the Council appropriate measures in response to violations of the arms embargo.

III. Summary of the Committee's activities

7. On 11 February 2004, an informal meeting of the Committee was convened to discuss the work of the Committee, particularly as it pertained to paragraphs 1, 5 and 8 of resolution 1519 (2003).

8. On 20 February, an informal meeting of the Committee was held for the Committee to meet with the four newly appointed experts of the Monitoring Group

established by paragraph 2 of resolution 1519 (2003) (see S/2004/73). At the same meeting, the Monitoring Group presented its work plan and sought the Committee's views on how to implement its mandate.

9. Pursuant to paragraph 8 of resolution 1519 (2003), neighbouring States were requested to report to the Committee quarterly on their efforts to implement the arms embargo against Somalia. On 23 February 2004 (SCA/1/04(04)) and on 10 May 2004 (SCA/1/04(12)), the Chairman of the Committee dispatched a note verbale and a follow-up note verbale to the Permanent Missions of Djibouti, Eritrea, Ethiopia, Kenya and Yemen drawing their attention to paragraph 8 of resolution 1519 (2003). On 23 June 2004 Yemen submitted its reply.

10. Pursuant to paragraph 1 of resolution 1519 (2003) and/or in reply to the Chairman's note verbale (SCA/1/04(03)) of 23 February 2004 recalling his earlier note verbale of 7 June 2002 (SCA/1/02(09)), another 19 replies were received from Member States (see appendix) reporting on measures in place to ensure the full and effective implementation of the arms embargo against Somalia (see also S/2003/1216, para. 15 and appendix).

11. Pursuant to paragraph 5 of resolution 1519 (2003), on 4 March 2004 the Chairman sent letters to all States in the region and regional organizations calling upon them to establish focal points to enhance cooperation with the Monitoring Group and to facilitate information exchange. Subsequently, the Committee received written replies from the Intergovernmental Authority on Development, the League of Arab States, Egypt, Eritrea, the International Criminal Police Organization, the World Customs Organization and the United Nations Environment Programme.

12. On 3 May 2004 an informal meeting of the Committee was held to discuss follow-up issues regarding paragraphs 1, 5 and 8 of resolution 1519 (2003).

13. On 19 May 2004 the Committee held its 27th formal meeting to hear a midterm briefing by the Monitoring Group pursuant to paragraph 6 of resolution 1519 (2003). At the same meeting, the Monitoring Group summarized its work and preliminary findings as well as its work plan for the remainder of its mandate, and replied to questions raised by Committee members in this regard. On 25 May 2004 the Chairman briefed the Security Council on the outcome of the Committee's 27th meeting.

14. At an informal meeting held on 28 July 2004, the Committee heard a briefing by a representative of the Office of Legal Affairs on legal issues pertaining to paragraphs 163 and 164 of the 2003 report of the Panel of Experts on Somalia (see S/2003/1035).

15. On 10 August 2004 the Committee convened its 28th meeting to discuss the findings of the Monitoring Group and recommendations contained in its final report to the Committee (see S/2004/604), submitted pursuant to paragraph 6 of resolution 1519 (2003). On 12 August 2004 the 29th formal meeting of the Committee was convened to conclude consideration of the report of the Monitoring Group. On 17 August 2004 the Chairman briefed the Security Council on the outcome of the 28th and 29th meetings.

16. On 17 September 2004, at an informal meeting, the Committee discussed the issue of the draft list of arms embargo violators pursuant to paragraph 3 (b) of resolution 1558 (2004). A representative of the Office of the United Nations

Security Coordinator briefed the Committee on matters pertaining to the security situation of the Monitoring Group. Following up on a decision taken at the meeting, on 3 November 2004 the Chairman wrote to the Permanent Missions of Djibouti, Eritrea, Ethiopia, Kenya and Yemen inviting them to send a representative for an exchange of views to a future meeting of the Committee.

17. At the Committee's informal meeting on 19 October 2004 the coordinator of the re-established Monitoring Group outlined the Group's work programme and reported on developments on the ground, particularly the Somali national reconciliation process.

18. On 10 December 2004, at an informal meeting, the Monitoring Group provided the Committee with an oral midterm report pursuant to paragraph 3 (e) of resolution 1558 (2004).

19. On 13 December 2004, at an informal meeting, the Committee met with representatives of Djibouti and Yemen for a general exchange of views.

20. On 15 December 2004, at an informal meeting, the Committee continued its discussion of the Monitoring Group's oral midterm report. On 16 December 2004 the Chairman briefed the Security Council on the outcome of the Committee's December meetings.

IV. Other issues

21. On 8 March 2004 the Committee approved a request from the United Kingdom of Great Britain and Northern Ireland, on behalf of TFL Defence, Ltd., to export humanitarian equipment to Somalia for humanitarian mine-clearance operations, under the no-objection procedure.

V. Summary of the activities of the Monitoring Group

22. On 22 January 2004, pursuant to paragraph 2 of resolution 1519 (2003) the Secretary-General appointed four members to a Monitoring Group, to be based in Nairobi for a period of six months (see S/2004/73). At the midterm briefing, on 19 May 2004, the members of the Monitoring Group reported on continued violations of the arms embargo on Somalia. In its final report, submitted to the Committee on 11 August 2004 (see S/2004/604), the Monitoring Group recommended continued monitoring of the arms embargo to ensure its effectiveness.

23. On 23 August 2004, pursuant to paragraph 3 of resolution 1558 (2004) the Secretary-General re-appointed the four members of the Monitoring Group, to be based in Nairobi for a period of six months (see S/2004/676). At the Monitoring Group's midterm briefing, on 10 December, its members reported on an alarming trend of increased violations of the arms embargo on Somalia.

VI. Conclusions and observations

24. During 2004, the Committee continued its active engagement in the implementation of the arms embargo on Somalia. The Committee's strong support for the work of the Monitoring Group, its active dialogue with neighbouring States

and its discussions on the draft list of arms embargo violators are clear signs of its commitment to seriously address non-compliance with the arms embargo on Somalia. As in the past, the Committee continues to rely on the cooperation of States and organizations in a position to provide information on violations of the arms embargo.

Appendix

Additional replies received from States in accordance with paragraph 8 of resolution 1407 (2002) and/or in reply to notes verbales SCA/1/02(09) and SCA/1/04(03)

State	*Date of report*	*Symbol*
Slovenia	27 February 2004	S/AC.29/2002/6/Add.1
Bulgaria	5 March 2004	S/AC.29/2002/17/Add.1
Niger	3 March 2004	S/AC.29/2004/(03)/1
Albania	12 March 2004	S/AC.29/2004/(03)/2
Germany	18 March 2004	S/AC.29/2002/20/Add.1
Chile	5 April 2004	S/AC.29/2004/(03)/3
Argentina	12 April 2004	S/AC.29/2003/1/Add.2
Jordan	7 May 2004	S/AC.29/2004/(03)/4
Sierra Leone	12 May 2004	S/AC.29/2004/(03)/5
Mexico	20 May 2004	S/AC.29/2004/(03)/6
Libyan Arab Jamahiriya	24 May 2004	S/AC.29/2004/(03)/7
Costa Rica	26 May 2004	S/AC.29/2004/(03)/8
Iceland	7 June 2004	S/AC.29/2004/(03)/9
Oman	11 June 2004	S/AC.29/2004/(03)/10
Luxembourg	18 March 2004	S/AC.29/2002/8/Add.1
Senegal	30 June 2004	S/AC.29/2004/(03)/11
Greece	2 July 2004	S/AC.29/2004/(03)/12
Austria	14 July 2004	S/AC.29/2004/(03)/13
Qatar	10 September 2004	S/AC.29/2004/(03)/14

United Nations S/2004/1018

Security Council

Distr.: General
28 December 2004

Original: English

Letter dated 28 December 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Myanmar to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the letter dated 13 December 2004 from the Permanent Representative of the Netherlands to you (S/2004/978).

I wish to express my objection to the circulation as a Security Council document of the European Union (EU) Presidency document regarding my country. The Security Council is not the forum for the issue. Under the Charter of the United Nations, the Security Council is mandated with the maintenance of international peace and security. The issue raised by the EU Presidency is not by any means an issue of international peace and security and therefore does not fall within the competence of the Security Council.

The situation in Myanmar is considered annually under an agenda item of the Third Committee of the General Assembly. To facilitate this consideration, the Permanent Mission of the Union of Myanmar to the United Nations has circulated to the General Assembly a comprehensive and accurate memorandum concerning the situation of Human Rights in Myanmar (see A/C.3/59/5).

The attempt by the EU Presidency to place the issue of Myanmar on the agenda of the Security Council is totally unacceptable and therefore my Government objects to the circulation of the EU Presidency document as a Security Council document.

Furthermore, I wish to point out that the official name of my country is **Myanmar** and not "Burma/Myanmar", or "Burma", as contained in the annex to the letter. The United Nations and all other international organizations officially recognize the name of my country as **Myanmar**. It is unacceptable to insist on referring to my country by any other name.

I would be grateful if the text of the present letter could be circulated as a document of the Security Council.

(*Signed*) Kyi **Tun**
Chargé d'Affaires, a.i.
Permanent Mission of the Union of Myanmar
to the United Nations

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Letter dated 22 December 2004 from the Secretary-General addressed to the President of the Security Council

As you are aware, my Special Adviser, Mr. Mohamed Sahnoun, has been following developments in the Horn of Africa region, especially in Somalia and the Sudan, and has been providing advice on what useful role the United Nations could play to promote negotiated settlements of conflicts. He has also been representing me at meetings dealing with regional issues.

During the first several months of the past year, Mr. Sahnoun continued to lead the United Nations observer delegation at the Sudan peace talks in Kenya, and he subsequently followed the talks on Darfur as well as the peace process in Somalia. He also represented me at the League of Arab States Summit in Tunis.

In order for Mr. Sahnoun to continue his efforts as required, I have decided to extend his appointment until 31 December 2005.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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